

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

THE LUBRIZOL CORPORATION, ) CASE NO. 1:21-cv-00870  
Plaintiff, )  
v. ) JUDGE CHRISTOPHER A. BOYKO  
INTERNATIONAL BUSINESS MACHINES )  
CORPORATION, )  
Defendant. )

**UNOPPOSED MOTION REGARDING DATE FOR DEFENDANT INTERNATIONAL BUSINESS MACHINES CORPORATION TO RESPOND TO COUNT ONE (BREACH OF CONTRACT) OF PLAINTIFF THE LUBRIZOL CORPORATION'S COMPLAINT**

Defendant International Business Machines Corporation (“IBM”) hereby states that it intends to timely file a Fed.R.Civ.P. 12(b)(6) partial motion to dismiss as to Counts Two through Six of Plaintiff The Lubrizol Corporation’s (“Lubrizol”) Complaint. Pursuant to Fed.R.Civ.P. 6, and to clarify its response deadline as to Count One (Breach of Contract), IBM hereby moves this Court for an order permitting IBM to serve its answer to Count One within 14 calendar days after notice of this Court’s order on IBM’s partial motion to dismiss. IBM’s counsel has conferred with Lubrizol’s counsel, and Lubrizol does not oppose IBM’s motion.

Dated: July 2, 2021

/s/ John Q. Lewis

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 2, 2021, the foregoing UNOPPOSED MOTION REGARDING DATE FOR DEFENDANT INTERNATIONAL BUSINESS MACHINES CORPORATION TO RESPOND TO COUNT ONE (BREACH OF CONTRACT) OF PLAINTIFF THE LUBRIZOL CORPORATION'S COMPLAINT was filed electronically. Service of this filing will be made by operation of the Court's electronic filing system.

*/s/ John Q. Lewis*

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John Q. Lewis (0067235)  
Attorney for Defendant IBM